

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 13, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 2295, as Filed by Senator Judith Zaffirini - Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 1; providing authority to impose an assessment.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

This bill makes several changes to Chapter 8472, Special District Local Laws Code, regarding LaSalle Municipal Utility District No. 1; the bill removes the requirement for the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the District. The bill appoints five members to the temporary board; the bill specifies that the board may finance the construction or maintenance of a recreational facility or improvement with assessments on property under this subchapter only if: a written petition requesting that facility or improvement has been filed with the board; and the board holds a hearing on the proposed assessments. The bill further states that the petition must be signed by the owners of a majority of the assessed value of real property in the District subject to assessment according to the most recent certified tax appraisal roll for the county; the bill specifies that an improvement or recreational facility project may include the planning, design, construction, improvement, and maintenance of: landscaping; marinas and bridges; lighting, banners, and signs; hiking and cycling paths or trails; sidewalks, pedestrian walkways, skywalks, crosswalks, or tunnels; ponds, lakes, recreational facilities, or scenic areas; plazas or pedestrian malls; drainage or navigation improvements; or solid waste, water, sewer, or power facilities, including electrical and gas power facilities; the bill specifies that the District may not impose an assessment on the property of: an electric utility or a power

Hon. Dan Patrick
Page 2
June 13, 2017

generation company; a gas utility; a telecommunications provider; or a person who provides to the public cable television or advanced telecommunications services; and, House Bill 4310 by Rep. Isaac is the companion to the proposed bill.

Sincerely,

A handwritten signature in cursive script, reading "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee
Senator Judith Zaffirini, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2295

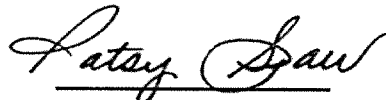
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

5/15/2017

Date transmitted to
Governor's Office


Secretary of the Senate

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

May 18, 2017

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality

By: Zaffirini

S.B. No. 2295

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the temporary board of and financing of certain
3 facilities and improvements by the LaSalle Municipal Utility
4 District No. 1; providing authority to impose an assessment.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Sections 8472.052(a) and (b), Special District
7 Local Laws Code, are amended to read as follows:

8 (a) The temporary board consists of:

9 (1) Chuck Kaufman;

10 (2) Eric Willis;

11 (3) Chris Gee;

12 (4) Kristi LaRue; and

13 (5) Doug Goss [~~On or after the effective date of the~~
14 ~~Act enacting this chapter, the owner or owners of a majority of the~~
15 ~~assessed value of the real property in the district may submit a~~
16 ~~petition to the commission requesting that the commission appoint~~
17 ~~as temporary directors the five persons named in the petition. The~~
18 ~~commission shall appoint as temporary directors the five persons~~
19 ~~named in the petition].~~

20 (b) Temporary directors serve until the earlier of:

21 (1) the date permanent directors are elected under
22 Section 8472.003; or

23 (2) the fourth anniversary of the effective date of
24 their designation [~~the Act enacting this chapter~~].

1 SECTION 2. Chapter 8472, Special District Local Laws Code,
2 is amended by adding Subchapter F to read as follows:

3 SUBCHAPTER F. ASSESSMENTS; APPLICABILITY OF ASSESSMENTS

4 Sec. 8472.251. PETITION REQUIRED FOR FINANCING
5 IMPROVEMENTS AND RECREATIONAL FACILITIES WITH ASSESSMENTS. (a)
6 Except as provided by this subchapter, the board may finance the
7 construction or maintenance of a recreational facility or
8 improvement with assessments on property under this subchapter only
9 if:

10 (1) a written petition requesting that facility or
11 improvement has been filed with the board; and

12 (2) the board holds a hearing on the proposed
13 assessments.

14 (b) The petition must be signed by the owners of a majority
15 of the assessed value of real property in the district subject to
16 assessment according to the most recent certified tax appraisal
17 roll for the county.

18 Sec. 8472.252. MISCELLANEOUS DESIGN, CONSTRUCTION, AND
19 MAINTENANCE. An improvement or recreational facility project may
20 include the planning, design, construction, improvement, and
21 maintenance of:

22 (1) landscaping;

23 (2) marinas and bridges;

24 (3) lighting, banners, and signs;

25 (4) hiking and cycling paths or trails;

26 (5) sidewalks, pedestrian walkways, skywalks,
27 crosswalks, or tunnels;

1 (6) ponds, lakes, recreational facilities, or scenic
2 areas;

3 (7) plazas or pedestrian malls;

4 (8) drainage or navigation improvements; or

5 (9) solid waste, water, sewer, or power facilities,
6 including electrical and gas power facilities.

7 Sec. 8472.253. METHOD OF NOTICE FOR HEARING. The district
8 shall mail notice of the hearing to each property owner in the
9 district who will be subject to the assessment at the current
10 address to be assessed as reflected on the tax rolls. The district
11 may mail the notice by certified or first class United States mail.
12 The board shall determine the method of notice.

13 Sec. 8472.254. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) An
14 assessment or a reassessment imposed under this subchapter by the
15 district, penalties and interest on an assessment or reassessment,
16 an expense of collection, and reasonable attorney's fees incurred
17 by the district:

18 (1) are a first and prior lien against the property
19 assessed;

20 (2) are superior to any other lien or claim other than
21 a lien or claim for county, school district, or municipal ad valorem
22 taxes; and

23 (3) are the personal liability of and a charge against
24 the owners of the property even if the owners are not named in the
25 assessment proceedings.

26 (b) The lien is effective from the date of the board's
27 resolution imposing the assessment until the date the assessment is

1 paid. The board may enforce the lien in the same manner that the
2 board may enforce an ad valorem tax lien against real property.

3 (c) The board may make a correction to or deletion from the
4 assessment roll that does not increase the amount of assessment of
5 any parcel of land without providing notice and holding a hearing in
6 the manner required for additional assessments.

7 Sec. 8472.255. UTILITY PROPERTY EXEMPT FROM ASSESSMENTS.
8 The district may not impose an assessment on the property,
9 including the equipment, rights-of-way, facilities, or
10 improvements, of:

11 (1) an electric utility or a power generation company
12 as defined by Section 31.002, Utilities Code;

13 (2) a gas utility as defined by Section 101.003 or
14 121.001, Utilities Code;

15 (3) a telecommunications provider as defined by
16 Section 51.002, Utilities Code; or

17 (4) a person who provides to the public cable
18 television or advanced telecommunications services.

19 SECTION 3. (a) All governmental and proprietary actions of
20 the LaSalle Municipal Utility District No. 1 taken before the
21 effective date of this Act, including the creation of the district,
22 the consent to create the district granted by the City of San
23 Marcos, the consent agreement relating to the district and any
24 amendments to that agreement, and any extension of time in which to
25 hold a confirmation election for the district, are validated,
26 ratified, and confirmed in all respects.

27 (b) This section does not apply to any matter that on the

1 effective date of this Act:

2 (1) is involved in litigation if the litigation
3 ultimately results in the matter being held invalid by a final court
4 judgment; or

5 (2) has been held invalid by a final court judgment.

6 SECTION 4. (a) The legal notice of the intention to
7 introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 5. For purposes of Section 8472.052(b)(2), Special
25 District Local Laws Code, as amended by this Act, the effective date
26 of the temporary directors' designation is the effective date of
27 this Act.

S.B. No. 2295

1 SECTION 6. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.

SB 2295

THE STATE OF TEXAS }
County of Hays: }

Before me, the undersigned, holding the office of _____ **Notary Public** _____ in and

for Hays County, Texas, personally appeared _____,
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto
attached was published in the regular edition of said newspaper for a period of _____

_____ on the following dates

_____ 20 _____, 20 _____

_____ 20 _____, 20 _____

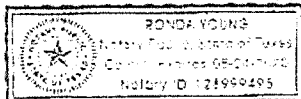
_____ 20 _____, 20 _____

_____ 20 _____, 20 _____ a printed clipping of said notice being hereto attached.

The said publisher states that the rate charged for this publication is the lowest rate charged
commercial advertiser for the same class of advertising for a like amount of space.

(Signed) _____
Publisher

Subscribed and sworn to before me this _____ day of _____, 20 _____





San Marcos
Record

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WE ACCEPT 4

Public Notice

NOTICE:

has Lottery Commission scratch ticket #1740 Hit \$1,000,000 (\$200 odds are 1 in 3.5). The Texas Lottery Commission scratch ticket game will close on 26, 2017. You have until September 22, to redeem any tickets for this game. \$250,000 Extreme Green (\$100 overall odds are 1 in 3.19). The Texas Lottery Commission scratch ticket game will close on 27, 2017. You have until September 23, to redeem any tickets for this game. Cash 2 Go (\$1 overall odds are 1 in 3.19). The Texas Lottery Commission scratch ticket game will close on April 1, 2017. You have until September 29, 2017, to redeem any tickets for this game. #1316 Veterans Cash overall odds are 1 in 4.14. These Texas Lottery Commission scratch ticket games will close on May 3, 2017. You have until October 17, to redeem any tickets for these games. #1819 Hipster Holiday (\$1 overall odds are 1 in 4.70). #1770 Wild 7's Doubler (\$5 overall odds are 1 in 4.08). #1796 Loteria (\$5 overall odds are 1 in 3.77). \$100,000 Cash (\$5 overall odds are 1 in 3.50). #1815 Garland Riches (\$5 overall odds are 1 in 3.50). #1818 Holiday Countdown Ticket (\$10 overall odds are 1 in 3.45). Odds listed here are the overall odds of getting prize in a game, including prizes, prizes, Lottery retailers are authorized to print prizes of up to and including \$500. If \$500 or more must be claimed in a lottery claim center or by mail. With modeled Texas Lottery claim form. Prizes over \$500 must be claimed in person at the nearest Headquarters in Austin. Call Mer Service at 800-375-6886 or visit the website at txlottery.org for more information and location of nearest claim center. Texas Lottery is not responsible for lost or tickets, or for tickets lost in the mail. Transactions, players and winners are of 18, and players and winners agree to by all applicable laws, Commission rules, license, policies, directives, instructions, terms, procedures and final decisions of the

Public Notice

NOTICE OF INTENT TO INTRODUCE NOTICE

This is to give notice of intent to introduce in the 86th Legislature, Regular Session, a bill or bills to be entitled an Act relating to the LaSalle Municipal Utility District Nos. 1, 2, 3, 4 and 5 which bill or bills shall pertain to the administration, powers, additional powers, duties, operation, financing and of the LaSalle Municipal Utility District Nos. 1, 2, 3, 4 and 5 in Hays County, and the reconfiguration of LaSalle Municipal Utility Districts Nos. 2, 3, 4 and 5 and will serve the following lands:

MUD No. 1

256.03 acres out of the William Hemphill Survey, Abstract No. 221, Hays County, Texas, being a portion of that 755.000 most conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 2929, Page 684 of the Official Public Records of Hays County Texas.

MUD No. 2

369.60 acres out of the William Hemphill Survey, Abstract No. 221, Hays County, Texas, being a portion of that 755.000 most conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 2929, Page 684 of the Official Public Records of Hays County Texas.

MUD No. 3

419.87 acres out of the William Hemphill Survey, Abstract No. 221, Hays County, Texas, being a portion of that 755.000 most conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 2929, Page 684 of the Official Public Records of Hays County Texas, and also being a portion of the called 171.216 acre tract conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 290, Page 657

General Help Wanted

VELASQUEZ MASONRY
We are looking for experienced masons to work on various projects. Call us today for more information.
Call: 512-392-0373

WANTED: DRIVERS
We are looking for experienced drivers to work on various projects. Call us today for more information.
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Drivers

CDL DRIVERS
We are looking for experienced CDL drivers to work on various projects. Call us today for more information.
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General Help Wanted

PART-TIME HOUSEKEEPER
Needed at Mountain View Lodge.
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PT EXPD
We are looking for experienced PT EXPD to work on various projects. Call us today for more information.
Call: 512-392-0373

NOW HIRING
We are looking for experienced NOW HIRING to work on various projects. Call us today for more information.
Call: 512-392-0373

Medical

NURSES UNLIMITED
We are looking for experienced nurses to work on various projects. Call us today for more information.
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FOUND - Set of Car Keys
Found at the San Marcos Daily Record. Call: 512-392-0373

Misc. Items Wanted

FREON 12 WANTED
R12 collecting over. We pick up & pay cash for cylinders. Call: 512-392-0373

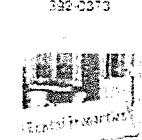
Misc. Merchandise

VERIZON CELLPHONE
We are looking for experienced VERIZON CELLPHONE to work on various projects. Call us today for more information.
Call: 512-392-0373

Misc. Merchandise

NICE WASHERS
We are looking for experienced NICE WASHERS to work on various projects. Call us today for more information.
Call: 512-392-0373

WANTED: REFRIGERATORS
We are looking for experienced WANTED: REFRIGERATORS to work on various projects. Call us today for more information.
Call: 512-392-0373



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re Director. A scratch ticket game may not be sold even when all the top prizes are claimed. Must be 18 years of age or purchase a Texas Lottery ticket. The lottery supports Texas education and is **PLAY RESPONSIBLY**. For help with a gambling problem, npgambling.org. © 2017 Lottery Commission. All rights reserved.

Public Notice

Public Notice

NOTICE TO CREDITORS

I hereby given that original Letters of Administration for the Estate of Michael Smith, Jr., Deceased, were issued January 8, 2017, in Cause No. 16- pending in the County Court at Twp. Hays County, Texas, to Elizabeth Morgan.

Persons having claims against the Estate are currently being administered are required to present them to under within the time and in the manner as by law.

Elizabeth Morgan
Attorney at Law
Professional Center
78640

the 24th day of February, 2017

Elizabeth Morgan

for Elizabeth L. Morgan
No. 08703880
Professional Center
78640
or (512) 298-6425
or (512) 298-5404
elmorgan@lawyer.com

Public Notice

Public Notice

NOTICE OF HEARING

I hereby given that a Motion for Deposition to investigate claims filed in the Hays County District Court in the cause number 17-0101, Jennifer McCann sues on behalf of her daughter for a potential claim of invasion of privacy. A hearing on the matter is Friday March 8, 2017 at 9:00am. Parties who have an interest in the matter are hereby given notice, and are required to attend the hearing in the matter.

of the Official Public Records of Hays County, Texas

MCD No. 4

355.70 acres out of the William Hemphill Survey, Abstract No. 221, Hays County, Texas, being a portion of that called 811.38 acre tract conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 2909, Page 654 of the Official Public Records of Hays County, Texas.

MCD No. 5

272.07 acres out of the William Hemphill Survey, Abstract No. 221, Hays County, Texas, being a portion of that called 811.38 acre tract conveyed to LaSalle Holdings, Ltd. by deed recorded in Volume 2909, Page 654 of the Official Public Records of Hays County, Texas.

Public Notice

Public Notice

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on Tuesday, February 28, 2017 at 9 a.m. in the Hays County Courthouse, 101 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider

ESTABLISHING NEW STOP SIGN LOCATIONS ON EAGLE NEST DRIVE & LONGLEY TRACE IN CIMARRON PARK SUBD. AS A RESULT OF THE COMPLETED CONSTRUCTION OF NEW FM 1626.

General Help Wanted

General Help Wanted

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- Temp



LaSalle Holdings, Ltd.
C/O Mr. Mike Schroeder
110 San Antonio Street
#1907
Austin, Texas 78701

Re: Draft Legislation related to LaSalle MUDs Nos. 1-5

Dear Mr. Schroeder:

As you are aware, we are seeking legislation related to amending LaSalle Municipal Utility Districts Nos. 1-5. These Districts, of course, are on property that LaSalle Holdings Ltd. owns. The draft legislation, among other matters, reconfigures LaSalle MUD Nos. 2-5 and also amends financing powers by allowing the Districts to assess property within the Districts to purchase, construct and maintain, among other matters, recreational facilities. This letter is to give you notice of that legislation.

We understand that LaSalle Holdings Ltd. is already familiar with the proposed legislative amendments as there have been in discussions regarding development and that LaSalle Holdings, Ltd. supports such amendments.

We are happy to discuss any questions you might have.

Very truly yours,


Andrew N. Barrett



3300 Ben Laves Road, Suite 650 #150, Austin, TX 78746
Phone: 512-600-3800 Fax: 512-600-3809
March 3, 2017

The Honorable Bert Cobb
Hays County Judge
111 E. San Antonio Street, Suite 700
San Marcos, Texas 78666


Re: LaSalle Municipal Utility Districts Nos. 1-5 proposed legislation

Dear Judge Cobb:

This letter is to provide you notice, on behalf of the Hays County Commissioners Court, of proposed legislation that relates to, among other matters, LaSalle Municipal Utility Districts Nos. 1-5 and its proposed powers, rights, duties, and obligations, and possible reconfiguration of the districts. I have enclosed a copy of the proposed legislation for your reference. Notice of the proposed legislation was published in the *San Marcos Daily Record* on or about February 28, 2017.

The County may file its written consent or opposition to the proposed bill. By copy of this letter, all Commissioners on the Court will be notified. I am happy to discuss this matter with you in further detail at your convenience. Please do not hesitate to contact me at 512-600-3800.

Very truly yours,


Andrew N. Barrett

Encl.

cc: Commissioners Court